

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Thelma E. Warren,

Plaintiff,

Civil No. 04-1708 (RHK/JSM)

v.

ORDER

Jo Anne B. Barnhart,

Defendant.

Plaintiff has filed timely Objections to the March 9, 2005 Report and Recommendation of Magistrate Judge Janie S. Mayeron. On cross-motions for summary judgment, Judge Mayeron has recommended the denial of Plaintiff's Motion and the granting of Defendant's Motion for Summary Judgment.

The Court has conducted its de novo review of the objected to portions of the Report and Recommendation, which has included the administrative record and a transcript of the January 22, 2003 hearing before the Administrative Law Judge. That review satisfies the undersigned that Judge Mayeron's factual determinations are fully supported by the record before her and that her legal conclusions are consistent with controlling precedent. Her thorough and well reasoned Report and Recommendation will be adopted.

Accordingly, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. The Objections (Doc. No. 27) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 24) is **ADOPTED**;
3. Plaintiff's Motion for Summary Judgment (Doc. No. 12) is **DENIED**; and
4. Defendant's Motion for Summary Judgment (Doc. No. 19) is **GRANTED**.

Dated: May 9, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge